



Attorney's Docket No. 1543.004 (5784-81)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

18
Declaration
PATENT
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In re: Whitehouse
Appl No.: 09/385,114
Filed: August 27, 1999
For: ANGIOGENICALLY EFFECTIVE UNIT DOSE OF FGF-2
AND METHOD OF USE

TECH CENTER 1600/2900

June 4, 2001

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**SUBMITTAL OF SUBSTITUTE DECLARATION
UNDER 37 C.F.R. § 1.63**

Sir:

Enclosed is a Declaration for the above-identified patent application that has been executed by the named inventors. This declaration is being submitted in order to claim the benefit of two provisional applications under 35 U.S.C. §119(e).

It is believed that no fee is required regarding this substitute declaration. However, in the event that a fee is required, such fee or any additional fee or credit is hereby authorized to be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Leslie T. Henry
Leslie T. Henry
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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to Examiner Hope Robinson at the Patent and Trademark Office at facsimile number (703) 308-0294, on June 4, 2001.

Polly P. Burton
Polly P. Burton RTA01/2097323v1



SUBSTITUTE DECLARATION FOR PATENT APPLICATION

Attorney Docket No. 1543.004 (5784-81)

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ANGIOGENICALLY EFFECTIVE UNIT DOSE OF FGF-2 AND METHOD OF USE,

the specification of which

☐ is attached hereto

OR

☒ was filed on August 27, 1999 as United States Application No. 09/385,114.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

None			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/104,102	10/13/98
Application Number	Filing Date (MM/DD/YYYY)
60/104,103	10/13/98
Application Number	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

None		
Application No.	Filing Date	Status Patented/Pending/Abandoned
Application. No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Martha Jo Whitehouse

Inventor's

Signature: Martha Jo Whitehouse Date: 1 June 2001

Residence: San Francisco, California

Citizenship: United States of America

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RTA01/2097151v1